

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

IBRAHIMA MBODJI,

Petitioner,

vs.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security, et al.,

Respondents.

CASE NO. 08CV517 JLS (NLS)

**ORDER (1) REQUIRING
RESPONSE TO PETITION, (2)
GRANTING MOTION FOR
LEAVE TO PROCEED IN FORMA
PAUPERIS, and (3) GRANTING
MOTION FOR APPOINTMENT
OF COUNSEL**

(Doc. Nos. 2 & 3)

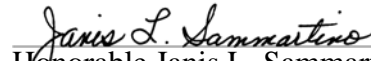
On March 20, 2008, petitioner Ibrahima Mbodji, an immigration detainee, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. No. 1.) Having reviewed the petition, respondents are hereby **ORDERED** to file and serve a response to the petition no later than May 26, 2008. The response **SHALL INCLUDE** all documents relevant to the issues raised in the petition. Should petitioner wish to reply to the response, he **SHALL REPLY** no later than June 16, 2008. The matter will be deemed under submission at that time, and the parties shall await further order from this Court.

The Court **GRANTS** Petitioner's application to proceed in forma pauperis (Doc. No. 2), and allows Petitioner to prosecute the above-referenced action as a poor person without being required to prepay fees or costs and without being required to post security. The Clerk of the Court shall file the Petition for Writ of Habeas Corpus without prepayment of the filing fee.

1 Petitioner has also filed a motion for appointment of counsel pursuant to 18 U.S.C. §
2 3006A. (Doc. No. 3.) Section 3006A(a)(2)(b) provides, when the Court determines that “the
3 interests of justice so require,” the Court may appoint counsel for financially eligible individuals
4 who are seeking relief under § 2241. The Court finds the appointment of counsel is appropriate in
5 this case. Federal Defenders of San Diego, Inc., has requested to be appointed to represent
6 petitioner in this matter. [Fife Decla. ISO Motion.] The Court therefore **GRANTS** petitioner’s
7 motion for appointment of counsel and **APPOINTS** Federal Defenders of San Diego, Inc. to
8 represent him.

9 IT IS SO ORDERED.

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11 DATED: April 28, 2008

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13 Honorable Janis L. Sammartino
14 United States District Judge
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